

#23

DOCKET NO: E00295.70066.US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

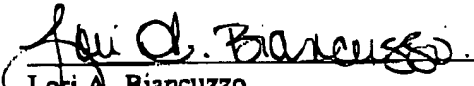
Applicant: Steven M. Blumenau  
Serial No: 09/107,618  
Confirmation No: 8313  
Filed: June 30, 1998  
For: METHOD AND APPARATUS FOR PROVIDING DATA  
MANAGEMENT FOR A STORAGE SYSTEM COUPLED  
TO A NETWORK

Examiner: Dung C. Dinh  
Art Unit: 2153

---

**CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being facsimile transmitted to the United States Patent and Trademark Office in accordance with 37 C.F.R. §1.6(d) to the attention of Francis Hicks, Office of Petitions, Washington, D.C. 20231, FAX number 703-308-6916 on the 15th day of January, 2003.

  
Lori A. Biancuzzo

Office of Petitions  
Commissioner for Patents  
Washington, D.C. 20231

FAX RECEIVED

JAN 15 2003

PETITIONS OFFICE

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

Serial No.: 09/107,618

- 2 -

Art Unit: 2153

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

**PART III: Remarks**

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

Serial No.: 09/107,618

- 3 -

Art Unit: 2153

An early and favorable action is hereby requested.

Respectfully submitted,  
Steven M. Blumenau, *Applicant*

By: 

Edward J. Russevage, Reg. No. 43,069  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617) 720-3500

Docket No. E00295,70066.US  
Date: January 15, 2003  
**XNDDX**